PATENT Case No. T1655P

10/593766

STATES PATENT AND TRADEMARK OFFICE

| Applicants: Burkamp, et al. | |
|-----------------------------------|---|
| Serial No. to be assigned | Art Unit: |
| Filed: | Examiner: |
| For: PRODRUGS OF SUBSTITUTED AMIN | • · · · · · · · · · · · · · · · · · · · |

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

FUNCTION OF THE VANILLOID-1 RECEPTOR (VR1)

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

| EXPRESS MAIL CERTIFICATE | | | | | | |
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below

MERCK & CO., INC.

Date

10/593766

PATENT Case No. T1655P

RELATED APPLICATION

IMPORMATION DISCLOSURE SPATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

| | U. S. SERIAL NUMBER | FILING DATE | MERCK CASE | |
|--------------|---|---|-----------------------------|--|
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| If th | is is inconvenient, additional copies will be submitted upon reques | t. | | |
| (| 6. In accordance with 37 C.F.R. 1.97, (check one) | | | |
| \checkmark | the attached information is filed within three months of the filing da | ate of the captioned case. | | |
| | the attached information is filed more than three months after the office Action on the merits. | filing date but prior to the | mailing of a first | |
| | the attached information is filed before the mailing of a first Office examination under $\S 1.114$. | action after the filing of a | request for continued | |
| | the attached information is being filed more than three months after Office Action on the merits, but before the mailing date of a Final Action on the prosecution in the application. The enclosed aut Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p). | Action, Notice of Allowanc horization is therefore giv | e, or an action that | |
| | each item of information contained in this Information Disclosure S from a foreign patent office in a counterpart foreign application not Statement. | | | |
| | each item of information contained in the information disclosure st from a foreign patent office in a counterpart application and this co designated in §1.56(c) more than thirty days prior to the filing of the | ommunication was not rec | eived by any individual | |
| | no item of information contained in this Information Disclosure Sta foreign patent office in a counterpart foreign application, and, to the after making reasonable inquiry, was known to any individual designants prior to the filing of this Statement. | e knowledge of the perso | n signing the certification | |

By: David Rubin

Attorney For Applicant(s)

Reg. No. 40,314

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-2675

Respectfully submitted,

Date: September 22, 2006

Approved for use through 09/30/2006. OMB 0651-0031

Approved for use through 09/30/2006. OMB 0651-0031

Patron 1 To demark Office; U.S DEPARTMENT OF COMMERCE

| | | | IAPS Recidi | CT/PTO 22 SEE | OKE IF KNOWN |
|-----------------------------------|---|----|------------------------|------------------------|-----------------|
| • | Substitute for form 1449A/PTO INFORMATION | | | Application Number | SI MIONI |
| STATEMENT BY APPLICANT | | | | Filing Date | |
| | | | | First Named Inventor | Burkamp, et al. |
| | , | | , | Group Art Unit | |
| (use as many sheets as necessary) | | | | Examiner Name | |
| Shee | et 1 | of | 1 | Attorney Docket Number | T1655P |

| U.S. PATENT DOCUMENTS | | | | | | | |
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| Examiner Initials* | Cite No. | U.S. Patent Docum | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | | |
| | | | | | 11/02/2004 | | |
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| | | FOREIGN PATENT DOCUMENTS | | | | | | | | |
|----------------|-------------------------|--------------------------|--|---|---|--|--|--|--|--|
| Cite No. | Foreign Patent Document | | | | Date of Publication of | | | | | |
| | Office | Number | Kind Code (if known) | of Cited Document | Cited Document MM-DD-YYYY | | | | | |
| 41 | | WO 03/062209 A | . | Neurogen Corporation | 07/31/2003 | | | | | |
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| Δ | No. | No. Office | Cite No. Office Number A1 WO 03/062209 A | Cite No. Office Number Kind Code (if known) A1 WO 03/062209 A | Cite No. Office Number Kind Code (if known) Name of Patentee or Applicant of Cited Document Name of Patentee or Applicant of Cited Document Neurogen Corporation | | | | | |

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Date Considered

Examiner Signature